IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1451 OF 2004
IN
SECOND APPEAL NO.1124 OF 2004

Damo Madhu Chakankar & ors. ... Applicants.
Versus.
Maruti Madhu Chakankar. ... Respondents.

Shri Subramaniam with Shri Chandana Salgaonkar Radia for the Applicants.

Shri N.P.Deshpande for the Respondent No.4.

CORAM : ABHAY S. OKA, J.

DATED : 3rd February, 2005.

P.C.:

1. Rule. Shri Deshpande waives notice for Respondent No.4. Service on other Respondents is dispensed with as the relief is claimed only against Respondent No.4.

2. The Application is strongly opposed by Shri Deshpande appearing for the Respondent No.4. The Second Appeal is admitted for final hearing. Pending final disposal of the Appeal, the Respondent No.4 cannot be permitted to create third party interests in respect of the property in question.

3. Hence Civil Application is allowed in terms of prayer clause (b).

Judge.